

REMARKS/ARGUMENTS

In view of the Board of Patent Appeals and Interferences decision dated March 26, 2009, Applicants respectfully request prosecution be reopened under 37 CFR 1.1114.

Claims 13, 15-18, and 20-24 were previously pending. Applicants have now cancelled claims 13 and 22 and have amended claims 15-17, 20, and 23-24 as well. Applicants have added new claim 25 to more particularly point out and distinctly claim that which Applicants consider to be their invention. Specifically, support for new claim 25 is fully supported in the specification as originally filed and can be found on page 7, lines 17-19; page 8, lines 8-10; and page 13, lines 14-16 of the specification. Therefore, the amendments to the claims do not add new matter. Applicant respectfully requests that the amendments be entered.

Upon entry of the above-made amendments claims 15-18, and 20-25 will be pending in the current application.

Applicants believe that new independent claim 25 is now distinguishable over prior art references Martin, Weissleder, Klaveness, and Waggoner. The prior art references together do not disclose, teach, or suggest a pharmaceutical composition for optical imaging for diagnosis of CRC. This is especially evident when the vector moiety weights, contrast agent weights, and water solubility of the contrast agent are combined and considered as a whole.

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Reply to Office Action of March 26, 2009

The above remarks, in conjunction with the above amendments, are believed to be fully responsive to the Office Action. Accordingly, Applicants believe the application is in condition for allowance and respectfully request that the Examiner allow claims 15-18, 20-21, and 23-25.

Respectfully submitted,

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